

Executive Summary Restructuring the INS

Background

The immigration challenges facing the nation have changed dramatically in recent years. The growth of the global economy, public policy debates, and new legislative mandates – especially the sweeping 1996 immigration law - have made unprecedented enforcement and service demands on INS. The breadth of these changes, coupled with the agency's explosive growth, demand a change in INS' structure to meet the challenges of the 21st century.

In 1997, the Commission on Immigration Reform (CIR) called for structured changes in the nation's immigration system. The Administration's review of the CIR recommendations led to a proposal for a new framework for improving INS.

The Administration's Proposal

INS, working with outside consultants, is finalizing the Administration's proposal. This blueprint for a new organizational structure fundamentally transforms the INS structure by separating the agency's law enforcement and immigration services missions into two separate chains of command, each with clear and distinct lines of authority. The agency's new structure would:

- Maintain a single agency to coordinate immigration policy, establish accountability, and ensure a balance between service delivery and law enforcement necessary for the coherent administration of U.S. immigration system.
- Eliminate current INS regional and district offices and replace them with new operational offices focused on either immigration service delivery or law enforcement.
- Establish new geographic operational areas based on workload, enforcement priorities, and service delivery considerations, to enhance overall performance effectiveness.
- Increase accountability and establish clear roles and responsibilities for both INS missions by eliminating conflicting priorities for field managers and creating clear lines of authority reaching from the top of the agency directly to the field.
- Place senior managers with specialized skills and backgrounds in charge of the immigration services and enforcement chains of command and hold these managers responsible for performance.

This restructuring proposal is the cornerstone of a major institutional reform project aimed at improving INS performance. Broad management systems improvements have already been planned and are being implemented as a part of this effort. Culture change is a key objective of the reform project. The goal is for INS to become a high-performing organization. Restructuring, management reform, and cultural change are mutually reinforcing. Together they will bring about the changes necessary to improve performance and increase results.

Immigration Services

The proposed structure for **Immigration Services (IS)** leverages the work that INS has already begun in reengineering and customer service as reflected in the streamlined Immigration Services Division and the National Customer Service Center. The new structure is designed to achieve a culture change that will make Immigration Services a model of customer service. The agency's new structure would:

- Establish a senior executive manager for Immigration Services who would be the head of the new Immigration Services chain of command and who would be skilled in service delivery. Working with an integrated program staff organized according to specific services – family, business and trade, resident and status, and citizenship – this executive would be responsible for INS' immigration services mission.
- Establish a Customer Service Advocate to promote customer service throughout the agency, with the position reporting directly to the head of Immigration Services.
- Consolidate all remote operations -- telephone, service, and card centers – under one director reporting to the head of Immigration Services.
- Consolidate the asylum, refugee, and humanitarian affairs programs and maintain the current domestic asylum offices.
- Establish geographic operational areas headed by directors who would report to the head of Immigration Services and oversee all local immigration services offices within their area. Area directors would ensure quality, timely management of adjudications workloads, consistent decision-making, and would be held accountable for achieving performance and customer service standards within their areas.
- Establish approximately 150 local immigration offices reporting to the area directors to serve the immigration community. These offices would provide services such as fingerprinting, general information, problem resolution, testing, and adjudication.

Enforcement

To effectively enforce the nation's immigration laws, the new structure consolidates all existing enforcement functions under one new chain of command while keeping the single mission enforcement units, such as the Border Patrol sectors, intact. This comprehensive law enforcement approach has been designed to promote seamless enforcement from the nation's borders to its interior. It will ensure the effective use of the tools necessary to enhance and support INS's professional law enforcement organization. The new agency's enforcement structure would:

- Integrate all enforcement operations and consolidate domestic and international enforcement programs under one senior law enforcement executive.
- Establish two principal deputy positions - the Chief of the Border Patrol and a deputy for all other enforcement operations.
- Integrate all enforcement functions into geographic enforcement areas headed by law enforcement professionals responsible for monitoring performance and ensuring compliance with standard agency-wide policies and procedures.
- Establish domestic enforcement areas and one international enforcement area based on workload and enforcement priorities. Chief Patrol Agents would manage Border Patrol sectors, and other enforcement supervisory officers would manage port of entry inspections, criminal investigations, removal of deportable aliens, intelligence, detention and other enforcement responsibilities.
- Create Citizen Advisory Panels at the national and area levels to provide community input regarding enforcement operations and prepare reports for use by the area directors, the senior enforcement executive, and the head of the agency.
- Manage the detention program at the national level relying on agency-wide standards governing conditions of custody.
- Establish an anti-smuggling program that melds Border Patrol and investigations anti-smuggling initiatives.

Coordination

Recognizing the interrelated nature of the service and enforcement missions, the proposal establishes agency-wide functions at the national level, provides for operational coordination between the two separate chains of command, and creates a unified administrative support structure.

The agency-wide functions at the national level provide a locus for setting broad strategic direction and ensuring overall coherence in implementation of immigration policy,

application of immigration law, and communication with the public. The new structure centralizes these overarching functions by establishing national offices responsible for:

- Legal functions and representation
- Policy and strategy
- Financial management
- Professional responsibility and review
- Congressional and intergovernmental relations
- Community relations and outreach
- Public information

The new structure also recognizes the need for operational coordination and cooperation between enforcement operations and immigration services. Combating benefit fraud, for example, requires efforts by both adjudicators and investigators to identify cases, investigate them properly, and resolve them through judicial or administrative procedures. The proposal would place investigators in the service centers, where most benefit fraud cases occur.

The new structure provides for unified support operations to effectively serve both the immigration services and law enforcement functions. For example, alien files must be complete and must be made available to employees quickly and easily, without regard to whether these records are needed by an adjudicator or an investigator. The unified support operations structure would provide support activities such as:

- Records and national file center
- Training and human resource functions
- Automation, data support and technology
- Administrative support

A unified support structure serving both chains of command maintains this essential integration, and makes the most effective and efficient use of the resources the Administration and Congress have provided the Service over the last five years.

Conclusion

Restructuring must achieve four primary goals. The new structure is designed to:

- Establish **accountability** by providing clear, separate chains of command for immigration services and enforcement from the top of the agency to each local manager, and by holding these managers accountable for performance and results.
- Facilitate a **customer focus** by providing consistent, courteous, accurate and timely service.
- Build a **seamless enforcement** structure that supports all enforcement activities at

and between ports of entry and in the nation's interior.

- Ensure a **coherent immigration system** for the Nation that enforces the border and interior as well as serves the immigration community.

The proposed structure is designed to achieve all of these goals. Separating the two interrelated immigration functions, but keeping them within one agency led by a single executive dedicated and accountable for the leadership and management of our nation's immigration system, will allow the Service to achieve these four primary goals and meet the challenges of the 21st century.